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Department of Justice
Washington

September 12, 1957

This document released to
public per *Harvey CDC*

Loftus E. Becker, Esq.
Legal Adviser
Department of State
Washington, D. C.

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DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY *[Signature]* DATE *9-30-57*

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Re: Masatoshi Suzuki, et al. v.
Tokyo Civilian Open Mess.

D. J. No. 163-12-1

611 944

Dear Mr. Becker:

Counsel in the above-named case now pending in the Tokyo Court
of Appeals has written us as follows:

In the event that the issue of construction of Paragraph 2
of Article XVIII of the Treaty of Friendship, Commerce &
Navigation should arise, can you give us any further state-
ment or documentations of the position stated at the middle
page 3 of your letter of July 3rd, 1957, namely that "Both
states intended that this provision be limited to corporate
type activities of a predominately commercial rather than
a governmental character"? This intent to limit is not
readily apparent from the rather broad language used.

Any information or notes of negotiation you may have which would
assist us in replying to this inquiry would be appreciated.

Sincerely yours,

[Signature]

Geo. S. Leonard
First Assistant
Civil Division

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CS/J

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